

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Dr. Stefan Koschmieder on June 19, 2009.
3. The application has been amended as follows:

A. Claim 13 has been amended to read in favor of:

Claim 13 (Previously Presented): A method for treating a disease mediated by Rho kinase, comprising the step of administering a therapeutically effective amount of a compound according to claim 1 or a pharmaceutically acceptable salt or solvate thereof together with a pharmaceutically acceptable carrier, to a mammal wherein the disease is hypertension.

B. Claim 14 has been cancelled.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

4. Based upon the response filed March 5, 2009, the rejections under 35 U.S.C. 102 (b) and 35 U.S.C. 103(a) based upon Kirin Beer Kabushiki Kaisha or Takami et al. are withdrawn.
5. Non-elected claim 14 (in part) is rejoined with the invention of Group I.

6. To meet the requirements of 35 U.S.C. 112, 1st paragraph, claim 13 has been amended to hypertension and claim 14 has been cancelled.
7. Applicants preserve the right to file divisional applications drawn to the non-elected subject matter.
8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zinna N. Davis whose telephone number is 571-272-0682.
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

[SIGNATURE BLOCK ON THE NEXT PAGE]

Art Unit: 1625

/Zinna Northington Davis/
Zinna Northington Davis
Primary Examiner
Group 1600-AU 1625

Znd
06.20.2009